

**ARIZONA STATE LAND DEPARTMENT
BOARD OF APPEALS AGENDA
FINAL**

Thursday June 13, 2013

**Location: Arizona State Land Department
1616 W. Adams, Room 321
Phoenix, AZ 85007
Time: 9:00 a.m.**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Arizona State Land Department Board of Appeals and to the general public that the Board will hold a meeting open to the public on June 13, 2013, at 9:00 a.m. at the Arizona State Land Department, 1616 W. Adams, Room 321, Phoenix, Arizona 85007.

The agenda for this meeting follows. Any amendments or additions to the agenda will be made available at least 24 hours prior to the meeting. The Board may discuss, deliberate or vote on any item listed on the agenda. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to hold an executive session for consultation with its attorney for legal advice concerning any item on the agenda. Executive sessions are not open to the public. Except for matters listed for a specific time, the Board may take any item on the agenda out of order. Members of the Board may appear by telephone.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the Board will not discriminate on the basis of disability in admission to and observation of its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Kristin Maves, ADA Coordinator at (602) 542-2636 to make their needs known. Requests should be made as early as possible to allow time to arrange the accommodation.

MINUTES

I. Approval of April 11, 2013 Minutes

II. REPORT BY LAND DEPARTMENT STAFF

- A. Report by Land Department staff and discussion by the Board regarding recent and future land auctions (See attached list)
- B. Future Board Agenda Items

III. REAL ESTATE DIVISION

Review, discussion, & possible legal action regarding the following:

- A. Rights of Way & Commercial Leases-Short Term-for periods 10 years or less on Consent Agenda (See attached)*
- B. Commercial Leases-Long Term-for periods longer than 10 years (See attached)*
- C. Land Sales (See attached)*

* Please note: The attachment with a detailed listing of agenda items I, II, and III will be available in the Board's office after May 28, 2013, or at least 24 hours prior to the scheduled meeting.

IV. BOARD APPEALS

None

V. **OTHER BUSINESS**

A. Arrangements for Future Meetings:

| <u>Date</u> | <u>Location</u> |
|---------------|-----------------|
| July 11, 2013 | Pending |

The August & September Meeting dates need to be set. The second Thursday in August is the 8th. The second Thursday in September is the 12th.

B. Schedule of Pending Appeals:

| | |
|-----------|--|
| A.B. 1227 | Shaen Magan |
| | Right of Way Application No. 18-115298 |
| | Appeal of Appraisal |


Hearing scheduled for September 12, 2013, in Yuma County.

VI. **EXECUTIVE SESSION**

The Board may vote to go into Executive Session on any of the above agenda items for legal advice from its attorney, pursuant to A.R.S. § 38-431.03(A)(3).

VII. **BOARD ADJOURNS**

STATE LAND DEPARTMENT
BOARD OF APPEALS



Michael P. Nesselrode, Clerk to the Board
1616 West Adams Street, Room 153
Phoenix, AZ 85007
Telephone: 602-542-2505 - FAX: 602-542-2508

**BOARD
REAL ESTATE DIVISION AGENDA
Thursday, May 9, 2013**

A. CONSENT AGENDA

RIGHTS OF WAY

| | Application # | Applicant and County | Purpose |
|-----|----------------------|---|---|
| 1. | 14-116645 JR | Arizona Public Service Company (Yuma County) | Service roads |
| 2. | 14-115754 JR | Arizona Public Service Company (Yuma County) | Single circuit 500kV power line |
| 3. | 14-116644 JR | Arizona Public Service Company (Yuma County) | Service roads |
| 4. | 14-115755 JR | Arizona Public Service Company (Yuma County) | Single circuit 500kV power line |
| 5. | 14-115981 JR | Arizona Public Service Company (Yuma County) | Non-exclusive access road, 69kV/12kV electrical substation, communication ln |
| 6. | 14-116651 JR | Southwest Gas Corporation (Pima County) | Underground 2" natural gas pipeline |
| 7. | 16-113787 CV | Hinkson Ranch Investors, LLC (Apache County) | 21 butterfly corners and two lineal alignments for public roads |
| 8. | 16-114451 CV | City of Peoria (Maricopa County) | Public roadway and underground utilities |
| 9. | 16-116281 CV | City of Winslow (Coconino County) | Public road with underground utilities |
| 10. | 16-116670 JR | Yavapai County (Yavapai County) | Public road |

COMMERCIAL LEASES – Short Term (for periods 10 years or less)

New

| | Application # | Applicant and County | Purpose |
|--|----------------------|-----------------------------|----------------|
| | NONE | | |

Renewals

| | Application # | Applicant and County | Purpose |
|-----|----------------------|--|--|
| 11. | 03-77507 AO | Truck & Trailer Parts, Inc. (Cochise County) | Retail sales of vehicle & equipment parts & equipment repair shop |
| 12. | 03-82840 KL | Arizona Department of Transportation (Cochise County) | Water well site & water line to serve Texas Canyon Rest Area |
| 13. | 03-83013 GN | Cochise County Solid Waste Dept (Cochise County) | Solid waste transfer station |

Amendments

| | Application # | Applicant and County | Purpose |
|-----|----------------------|---|--|
| 14. | 03-40413 RM | Pleasant Valley Airport Associates (Maricopa County) | Glider school, ultra-light flying, general aviation & 38 unit RV park |

B. COMMERCIAL LEASES – Long Term (for periods longer than 10 years)

Urban Planning Projects

| | Application # | Applicant and County | Purpose |
|--|----------------------|-----------------------------|----------------|
| | NONE | | |

Other

| | Application # | Applicant and County | Purpose |
|--|---------------|----------------------|---------|
| | NONE | | |

C. LAND SALES

Urban Planning Projects

| | Application # | Applicant and County | |
|--|---------------|----------------------|--|
| | NONE | | |

Other

| | Application # | Applicant and County | |
|--|---------------|----------------------|--|
| | NONE | | |

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE
14-RIGHT-OF-WAY (LONG TERM)
16-RIGHT-OF-WAY (PERPETUAL)

AUCTION CALENDAR
MAY 2013

04-MINERAL
21-WATER
53-LAND

| APP. NO./ APPLICANT | AUCTION DATE & TIME | LOCATION, COUNTY & ACREAGE +/- | APPRAISED VALUE & 1ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY) | BENEFICIARY |
|---|------------------------------|---|---|---|
| 04-113880 G & S GRAVEL, INC. | 05/01 11:00 A.M | T12N, R1E, SEC. 16 YAVAPAI 10.89 | \$3,750.00 & \$1,875.00 | PERMANENT COMMON SCHOOLS |
| 21-116301 FREEPORT MCMORAN BAGDAD, INC. | 05/01 11:00 A.M. | T15N, R9W, SEC. 11 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |
| 21-116302 FREEPORT MCMORAN BAGDAD, INC. | 05/01 11:00 A.M. | T15N, R9W, SEC. 24 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |
| 53-116506 OMNI VENTURES, LLC | 05/08 10:30 A.M. | T4N, R4E, SEC. 29 MARICOPA 2.34 | \$375,000.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |
| 16-116277 COWLEY MANAGEMENT LLC | 05/28 10:00 A.M. | T3S, R10E, SECS 1,2,3,8,9,10,11& 12 PINAL 49.49 | \$260,591.00 | LEGISLATIVE, EXECUTIVE, JUDICIAL BUILDINGS PENITENTIARY LAND FUND PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |

03-COMMERCIAL-LONG TERM LEASE
14-RIGHT-OF-WAY (LONG TERM)
16-RIGHT-OF-WAY (PERPETUAL)

AUCTION CALENDAR
JUNE 2013

04-MINERAL
21-WATER
53-LAND

| APP. NO./ APPLICANT | AUCTION DATE & TIME | LOCATION, COUNTY & ACREAGE +/- | APPRAISED VALUE & 1ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY) | BENEFICIARY |
|--|------------------------------|---|---|---|
| 16-116498 CITY OF PHOENIX | 06/25 10:00 A.M. | T5N, R2E, SECS. 14 & 2 MARICOPA 13.73 | \$1,124,796.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |

03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

AUCTION CALENDAR
 JULY 2013

04-MINERAL
 21-WATER
 53-LAND

| APP. NO. | AUCTION DATE & TIME | LOCATION, COUNTY & ACREAGE +/- | APPRAISED VALUE & 1 ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY) | BENEFICIARY |
|--|------------------------------|--|--|---|
| 16-113560-00-001 CITY OF PHOENIX | 07/02 10:00 A.M | T4N, R4E, SECS. 16 & 21 MARICOPA 9.33 | \$2,400.00 | PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |
| 16-110880-00-001 MARICOPA COUNTY | 07/02 10:30 A.M | T6N, R3E, SECS. 15 & 16 MARICOPA 1.06 | \$15,741.00 | PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |
| 16-52829 CITY OF SCOTTSDALE | 07/03 10:00 A.M. | T5N, R4E, SEC. 36 MARICOPA 1.01 | \$2,400.00 | PERMANENT COMMON SCHOOLS |
| 16-113807 PR4E, LLC | 07/30 10:00 A.M. | T4N, R4E, SECS. 27 & 34 MARICOPA 0.79 | \$59,771.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) |

03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

RESULTS / ARCHIVE PAGE
 APRIL 2013

04-MINERAL
 21-WATER
 53-LAND

| APP. NO. | AUCTION DATE | LOCATION, COUNTY & ACREAGE +/- | APPRAISED VALUE & 1 ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY) | BENEFICIARY | TOTAL SELLING PRICE | SUCCESSFUL BIDDER & # OF BIDS | TERMS |
|-----------|--------------|---|--|---|---------------------|---|----------------------------------|
| 16-115783 | 04/02 | T5S, R4W, SEC. 32 MARICOPA 1.29 | \$8,940.00 | PERMANENT COMMON SCHOOLS | \$8,940.00 | OASIS CLIFFS, LLC & 1 | |
| 16-116380 | 04/10 | T15S, R15E, SECS. 13 & 24; T15S, R16E, SEC.19 PIMA 20.46 | \$2,400.00 | LEGISLATIVE, EXECUTIVE AND JUDICIAL BUILDINGS UNIVERSITY | \$2,400.00 | CITY OF TUCSON & 1 | |
| 16-116179 | 04/17 | T4N, R4E, SEC. 30 MARICOPA 12.66 | \$1,583,269.00 | PERMANENT COMMON SCHOOLS | \$1,583,269.00 | ARIZONA PUBLIC SERVICE & 1 | |
| 16-116237 | 04/17 | T4N, R4E, SECS. 29 & 30 MARICOPA 8.34 | \$1,126,396.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$1,126,396.00 | ARIZONA PUBLIC SERVICE & 1 | |
| 16-108856 | 04/17 | T5N, R2E, SEC. 14 MARICOPA 0.58 | \$37,518.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$37,518.00 | WESTCOR/ BLACK CANYON MOTORPLEX LLC & 1 | |
| 53-114488 | 04/24 | T15S, R15E, SECS. 25 & 36 PIMA 289.22 | \$4,350,000.00 | UNIVERSITY PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$4,350,000.00 | PIMA COUNTY & 1 | 10% DOWN, BALANCE DUE IN 30 DAYS |

03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

RESULTS / ARCHIVE PAGE
 MAY 2013

04-MINERAL
 21-WATER
 53-LAND

| | | | | | | | |
|-----------|----------------------------|--|---|---|--------------|--|--|
| 04-113880 | 05/01 | T12N, R1E, SEC. 16 YAVAPAI 10.89 | \$3,750.00 & \$1,875.00 | PERMANENT COMMON SCHOOLS | \$3,750.00 | G & S GRAVEL INC. & 1 | |
| 21-116301 | 05/01 | T15N, R9W, SEC. 11 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | | AUCTION POSTPONED TO 05/15/13 | |
| 21-116302 | 05/01 | T15N, R9W, SEC. 24 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | | AUCTION POSTPONED TO 05/15/13 | |
| 53-116506 | 05/08 | T4N, R4E, SEC. 29 MARICOPA 2.34 | \$375,000.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$600,000.00 | TATUM U, LLC & 18 | 10% DOWN, BALANCE DUE IN 30 DAYS |
| 21-116301 | 05/15 | T15N, R9W, SEC. 11 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$6,400.00 | FREEPORT- MCMORAN BAGDAD, INC. & 1 | |
| 21-116302 | 05/15 | T15N, R9W, SEC. 24 YAVAPAI 10.00 | \$80.00 PER ACRE-FOOT & \$6,400.00 | PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | \$6,400.00 | FREEPORT- MCMORAN BAGDAD, INC. & 1 | |
| 16-116277 | 05/28 10:00 A.M. | T3S, R10E, SECS. 1, 2, 3, 8, 9, 10, 11 & 12 PINAL 49.49 | \$260,591.00 | LEGISLATIVE, EXECUTIVE, JUDICIAL BUILDINGS PENITENTIARY LAND FUND PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) | | | |